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Mr. Robert Oliphant

Standing Committee on Citizenship and Immigration

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● (1530)

[English]

The Chair (Mr. Robert Oliphant (Don Valley West, Lib.)): Good afternoon. I'm happy to call the 124th meeting of the Standing Committee on Citizenship and Immigration to order.

We are continuing our study of migration challenges and opportunities for Canada in the 21st century. We have two one-hour sessions today. We have Idil Atak from Ryerson University, as well as Alexandra Bilak, who is coming via video conference from Geneva, Switzerland. I usually start with the video conference just in case there's a technical problem and then we can get you back if we need to.

Just by way of introduction, the committee has decided to do a significant study on what in the world is going on with respect to migration of people, both forced and voluntary migration, what Canada's policy and legislative response should be in the 21st century, whether it should be different from what it was in the 20th century. We welcome both of you to the meeting.

We'll begin with Ms. Bilak.

Ms. Alexandra Bilak (Director, Internal Displacement Monitoring Centre): Thank you very much, Mr. Chair. Thank you for the opportunity to be here today.

I'm here to talk about the phenomenon of internal displacements, its global scale, some of its underlying causes and longer-term impacts, and possible solutions to it.

I'm the director of the Internal Displacement Monitoring Centre, an organization that monitors internal displacement across the world and documents the situation of people who are forcibly displaced or at risk of displacement inside their own countries.

Internally displaced persons, or IDPs, often fall between the cracks of broader debates on migration, even though they are in fact an integral part of the global migratory picture and are among the world's most vulnerable communities and individuals.

At IDMC, we monitor internal displacement in the context of armed conflict, generalized violence, man-made disasters, and human rights violations more broadly. We are the world's trusted and authoritative source of data and analysis on this topic. We provide global statistics on conflict-induced and violence-induced displacement in 54 countries in the world and on disaster-related displacement in over 130 countries.

In 2017, we recorded 30.6 million new internal displacements by conflict and disasters. As in every other year, the majority of conflict-related displacement happened in the Middle East and sub-Saharan Africa, while disaster-related displacement predominantly affected South and Southeast Asia.

Some of the countries that not only host the largest numbers of IDPs but are also prone to new waves of internal displacement every year include the Democratic Republic of Congo, Ethiopia, Nigeria, and Somalia in Africa, and also, of course, Syria, Iraq, Yemen and Afghanistan. The Philippines, China, India, Bangladesh and many small island states in the Pacific also regularly record high levels of displacement by disasters every single year.

The communities that are most severely affected are often those living in low- or lower-income countries that are experiencing protracted conflict and crises and that typically have low capacity to cope. This is where IDPs can be forced away from their homes in very brutal circumstances and can be compelled to move repeatedly over short periods of time in search of safety. We are looking in some cases at very cyclical patterns of displacement, but also very repeated shocks that gradually erode the resilience of communities that are often already very poor and vulnerable.

Even though disaster-related displacement is often considered less severe, with higher rates of return and more straightforward processes of reconstruction and reintegration, we have also documented a significant number of people, often from poor and already vulnerable communities, who remain displaced following a disaster for long periods of time. Haiti following the 2010 earthquake or Japan after the Fukushima disaster are clear examples of this, but there are many more.

As conflicts drag on, as the global rate of urbanization increases, and as climate change is likely to exacerbate the intensity of sudden and slow-onset disasters in the future, there is no reason to believe that the rising trend of internal displacement will be reversed. While today's crises are clearly underpinned by longer-term development challenges, they can also, in turn, seriously impact the development trajectory of states. This is why we have been making a clear argument over the years that internal displacement should be seen as a humanitarian challenge with clear human rights implications, but should first and foremost be considered a development challenge.

Despite all of this, action on internal displacement has been largely absent from the international policy agenda. Since 2016, the world's attention has been firmly focused on migration and refugee flows, and on the negotiation of the two global compacts on refugees and migrants. Neither of these substantively addresses displacement within national borders, or adequately recognizes the relationship between the root causes and drivers of internal displacement and wider cross-border movements.

We do not believe there is currently an appetite among states or donors to draft new international laws or protocols on internal displacement or responsibility sharing, and the utility of creating new bodies or normative frameworks to address the issue is, for us, debatable.

● (1535)

However, high-level political engagement is clearly needed right now to mobilize action on internal displacement. To that end, we would recommend that Canada consider supporting the recently proposed high-level panel on internal displacement. In doing so, it should strongly support the substantive involvement of states most affected by internal displacement, states that therefore have constructive experience in addressing it.

Whenever possible, these governments must take the lead in addressing internal displacement and its root causes. In doing so, they should integrate internal displacement into long-term development plans and climate change adaptation planning and invest in disaster risk reduction efforts, and in some cases they are very willing to do so. Given the scale of internal displacement globally, we believe that failing to do this is likely to undermine these countries' progress towards achieving their sustainable development goals and other international frameworks.

Where governments are themselves the cause of displacement, the international community needs to better coordinate operational responses while at the same time working to support peace-building efforts, conflict resolution, access to justice, and of course accountability for human rights violations.

To that end, Canada could support coordinated responses to protracted displacement that address the humanitarian, development and peace-building dimensions of this phenomenon, and use its influence to ensure its UN partners do the same in their programming and their engagement with national governments. This kind of support will be critical to addressing the underlying drivers of internal displacement, refugee movements and migration flows.

Finally, we would encourage more substantive investments in coordinated and consistent data collection systems on the ground to ensure that the trajectory of people displaced inside their countries, and also across borders, can be better understood, monitored and responded to, and more importantly, to ensure that the situation of IDPs never falls off national and international agendas.

Thank you very much.

● (1540)

The Chair: Thank you very much.

We'll turn now to Ms. Atak.

Ms. Idil Atak (Associate Professor, Department of Criminology, Ryerson University, As an Individual): Thank you, Chair. I also would like to thank the committee for the opportunity. It's a real privilege to be here.

My remarks will touch on the changes made in Canada's refugee system by two acts, the Protecting Canada's Immigration System Act and the Balanced Refugee Reform Act, both of which entered into force almost six years ago, in December 2012.

The previous Conservative government introduced these pieces of legislation following the arrival of nearly 600 Tamil asylum seekers aboard two boats in 2009 and 2010.

Protecting the safety and security of Canadians was a major aim for these changes. The other policy goals were to make the refugee system faster and fairer, to clear the refugee backlog at the Immigration and Refugee Board of Canada, and to deport failed refugee claimants as soon as possible.

My remarks draw on field research I and two of my colleagues conducted over the past four years in three provinces—Ontario, British Columbia, and Quebec. We wanted to gauge the effectiveness of the new system. Whether it was reaching its policy goals was our primary question.

As a reminder, here are some of the measures introduced in 2012.

First was accelerated timelines. For most claimants, hearings are held no later than 60 days after the refugee claim is referred to the Immigration and Refugee Board.

Second was to have limited procedural rights and limited recourse. For example, most refugee claimants are barred from applying for a pre-removal risk assessment for one year following their final IRB decision.

Third was to create new classes of refugee claimants based on their mode of arrival and their country of origin. Those claimants faced even more reduced timelines, and rights and recourse were reduced further within the new system. Claimants from the so-called designated countries of origin—and there are currently 42 of these, including Mexico—are struggling to reverse the presumption of safety of their country of origin.

"Designated foreign nationals" are another new class of refugee claimants, those who arrive in Canada irregularly, with the help of a smuggler and in a group. Designated foreign nationals, including children aged 16 and 17, are subject to mandatory detention. They are denied basic remedies, such as the right to appeal, and they also face socio-economic deterrents.

According to our findings, these measures have failed to reach their primary goals. Our system is not faster and our system is not more efficient than before. On the contrary, these changes have created a number of negative results.

First of all, they violate the human rights of refugee claimants in Canada. Take the designated foreign national detention provisions: these provisions constitute a violation of our charter rights and also of Canada's international obligations under the 1951 convention and the United Nations Convention on the Rights of the Child, among other treaties.

Second, our refugee law has become discriminatory and punitive. It doesn't provide some groups of claimants with adequate procedural protections and adequate recourse. There is therefore a heightened risk of legitimate applications being rejected and individuals being sent back to persecution.

Third, the changes prioritize efficiency and deterrence over fairness.

Fourth, the Canadian refugee landscape is seen as a field of law in flux. The legal uncertainty affects all actors involved, including Immigration and Refugee Board members, legal counsels and service providers.

Lastly, we found a correlation between these new policies and undocumented migration, which is becoming increasingly visible, as shown by the sanctuary city movements. Some of these measures have been quashed by our courts and there is ongoing litigation, but this is a lengthy and costly process.

Parliament should be proactive and first repeal the DFN clause, the designated foreign national clause. Second, refugee claimants should be given enough time, ideally no less than three months, to prepare for the hearing at the Immigration and Refugee Board. Third, differentiated treatment of refugee claimants should be eliminated. Fourth, all procedural rights and recourses should be readily available to all claimants as a matter of the rule of law. Fifth, a better understanding of undocumented migration in Canada is needed, including how our policies sometimes create the illegality of migrants. A case-by-case regularization of undocumented migrants should be considered.

● (1545)

These changes would enable us to establish fairness and efficiency in the system while upholding respect for human rights and the fundamental freedoms of all human beings, in accordance with the objectives of the Immigration and Refugee Protection Act.

Thank you.

The Chair: Thank you.

Ms. Bilak, I recognize that it is late in your time zone. Thank you. We're very appreciative that you have made yourself available.

Go ahead, Mr. Ayoub.

[*Translation*]

Mr. Ramez Ayoub (Thérèse-De Blainville, Lib.): Thank you, Mr. Chair.

Your speeches were very interesting.

Let me begin with you, Ms. Atak. I would appreciate a written copy of your notes because you provided a lot of important details. At this point in our study, we are gathering testimony and also wondering whether there is indeed a migration crisis. Some politicians maintain it is a serious crisis, but according to those on the ground who have a broader overview, Canada is not really in crisis.

On the other hand, we met recently with an official responsible for immigration to Canada. He said that processing times are from two to two and a half years. Thirty thousand cases are processed every year, but there is still a backlog of 60,000 cases.

You have suggested many possible solutions, but which ones do you think we should pursue in the short term to reduce processing times and treat refugees, migrants and people with regular or irregular files equally? How can we uphold their rights while doing things properly in Canada to welcome good people and reject undesirable individuals?

Ms. Idil Atak: Thank you for your question. You raise some very important points.

As to whether or not there is a crisis, I will say both yes and no. While processing times for asylum seekers have improved, the election of President Trump in the United States has led to an increase in the number of irregular border crossings. This is unprecedented, in my opinion. I would also say that the Canada-U.S. Safe Third Country Agreement is counterproductive because it prevents asylum seekers who want to make a regular application in Canada from doing so, forcing them first to cross the border irregularly. So the number of such crossings is increasing, and I would say this is a crisis.

What is the way out of this crisis? I would recommend revising the agreement or, ideally, getting rid of it.

Mr. Ramez Ayoub: What would we replace it with?

Ms. Idil Atak: Canada must allow asylum seekers to make an application. The budget of the Immigration and Refugee Board, the IRB, has increased recently, and that is positive. One of the solutions would be to provide more funding for all actors in Canada who are trying to resolve this crisis, and also for legal aid—

● (1550)

Mr. Ramez Ayoub: I have to interrupt you because I do not have much time. I am really interested in the concept of a "safe third country". If we were to change that concept, how much time do you think that would take, and what steps would be needed to achieve that and establish a new concept? I do not think we can get rid of the agreement without replacing it with something better.

How much time do we have to do that? In the meantime, do you think the only solution is to increase budgets and speed up the processing of economic migrants?

Ms. Idil Atak: This agreement has been in effect since 2004. There were irregular border crossings before Donald Trump was elected, but they have increased considerably since he took office. This shows how counterproductive the agreement is.

There is a crisis because the government south of the border has an ideology that is clearly opposed to refugees, proving how much intolerant regimes can increase the flow of asylum seekers.

What can the agreement be replaced with? I would actually recommend that we simply get rid of it because we already have a system that combines the Immigration and Refugee Board of Canada and legal aid. This system is already able to deal with the situation.

Mr. Ramez Ayoub: Thank you, Ms. Atak.

We have about a minute and a half left. Ms. Bilak, are you familiar with the Canada-U.S. Safe Third Country Agreement? Are there any other such international agreements elsewhere the world?

Since you do not seem to be familiar with it, Ms. Bilak, I will ask Ms. Atak.

To your knowledge, Ms. Atak, are there other countries that have this kind of agreement?

Ms. Idil Atak: There are in fact agreements in the European Union, and all EU members have declared themselves safe countries. That is the basic principle of the Canada-U.S. agreement, but it does not work at all in the European Union.

Mr. Ramez Ayoub: It does not work?

Ms. Idil Atak: They have something called the Dublin system, which has been in effect for two decades. It does not work because it is very expensive and counterproductive.

Mr. Ramez Ayoub: What are they thinking of doing to improve or change it?

Ms. Idil Atak: There is a big debate about that.

It is difficult to compare Canada and the European Union though because I think our system is much more humanitarian and we are geographically more protected than the European Union.

Mr. Ramez Ayoub: Thank you very much for your answers.

[*English*]

The Chair: Mr. Maguire is next.

Mr. Larry Maguire (Brandon—Souris, CPC): Thank you, Mr. Chair, and thanks to both of our witnesses today for your presentations to us.

Ms. Bilak, I would like to ask you a couple of questions. You both had great experiences with IDPs. Looking at the situation of internally displaced people, you've given us numbers, and of course the disasters aren't going to stop. They do continue, as you said in your testimony today as well. It's not only disasters from natural causes, but there are also genocides going on.

Could you could provide me with some opinions in a couple of areas as to what Canada's response to the Rohingya genocide should be?

Ms. Alexandra Bilak: It's true that some of the highest and most severe levels of internal displacement that we've recorded recently have taken place in some of the most conflict-ridden countries, such as the Democratic Republic of the Congo, which re-erupted into conflict back in 2016 and into 2017, and that conflict is still continuing today. Since the beginning of this year we've also looked at a huge spike in conflict and internal displacement in Ethiopia, so it's true that these large-scale violent crises are driving some of the highest levels of displacement.

When it comes to Myanmar, the crisis in Myanmar has been predominantly a refugee crisis. We've had many difficulties in determining the extent to which people have been and are still trapped internally, as opposed to the extent to which they were displaced first, and for how long, before they were then compelled to leave the country.

Most of the reports we received from Myanmar established relatively clearly that the movement was very soon a cross-border movement and became very quickly a refugee crisis. A number of IDPs have been living in very protracted situations, in some cases for decades, in pockets of insecurity that remain across Myanmar, but a large part of the crisis there has been mostly a refugee crisis.

The situation there has been very different from the situation in Syria, which for the first few years of the civil war was clearly an internal displacement crisis and then tipped into a cross-border movement and a refugee movement only in 2015. You really had both in Syria, and it's still very much the case today. You have a huge caseload of Syrian refugees, but you have an equally large, if not larger, IDP caseload in Syria. I would qualify Myanmar as a very different case.

● (1555)

Mr. Larry Maguire: With your experience, do you think we should be reconsidering our settlement criteria to include IDPs where possible?

Ms. Alexandra Bilak: Well, because they don't leave their country, IDPs require a very different type of response. They need to be protected and assisted inside the borders of their country. A lot of the countries I'm talking about are in many cases failed states, or in other cases just fragile, low-income countries that have very low capacity. They, of course, then require adequate assistance.

In many cases, we are mainly looking at budgetary needs and capacity needs. In countries such as Ethiopia, Nigeria, and Somalia there is political willingness to address the issue of IDPs and to respond adequately to this phenomenon, but there are simply insufficient financial and human resources to do so.

In that context, for those countries where there is political will, I would strongly encourage Canada to invest in longer-term dialogue with these countries, and also longer-term development, because that is ultimately what is driving these high levels of displacement.

Mr. Larry Maguire: While they're doing some of that, do you think it would be appropriate to use the Magnitsky act to sanction some of these individuals in Myanmar who are responsible for some of these crimes?

Ms. Alexandra Bilak: I'm not familiar with that and I wouldn't really wish to comment too much on the political situation in Myanmar and what is required in terms of diplomatic efforts or sanctions to be levelled against the government there.

Mr. Larry Maguire: Okay.

Our government agreed to resettle a small number of survivors of the Yazidi genocide to Canada. Could you provide some details on the current situation with the IDPs in Iraq and what those patterns of displacement look like? Is there more that we should be doing to help those who have been internally displaced in Iraq due to ISIS?

Ms. Alexandra Bilak: Absolutely. As I said, countries such as Iraq and Syria have experienced large IDP crises. In those countries there are IDPs who have been repeatedly displaced over long periods of time and whose resilience has been extremely eroded over the years, but there is now talk and already a reality on the ground of IDPs returning to their areas of origin under an overall improvement of the situation on the ground. What Iraq needs right now is significant investment in reconstruction and in making those return areas as safe as possible so as to avoid people who are returning becoming internally displaced again.

In fact, we are documenting already both refugee and IDP returns that are not happening in optimal conditions and that are leading to people having to move again upon their return. Of course, that's not the situation we want to see, because it just perpetuates this crisis. Therefore, more investment in longer-term development and reconstruction efforts in Iraq is going to have to be the number one priority to ensure a sustainable return process.

Mr. Larry Maguire: I have a question on the UNHCR as well, and its capacities to look at ways of helping resettle internally displaced persons.

What would you see as an option for the UNHCR? Do you think it has the proper capacities to be able to handle some of that and the rest of the world as well?

● (1600)

Ms. Alexandra Bilak: IDPs unfortunately don't fall under UNHCR's mandate formally, although of course the UNHCR has been responding in a number of IDP contexts across the world and over the years. They are right now in a process of developing their IDP policy, which seeks to clarify what UNHCR's engagement in an IDP context is going to be, both in terms of operational coordination and also in data collection and protection more broadly.

We are encouraging them to bring as much clarity as possible so that their response in the future can be as predictable and as comprehensive as possible, but we do have some concerns that along with what looks to be an ambitious IDP policy, the budget for responding in an IDP context is decreasing and is still significantly lower than their budgets for responding to refugee flows.

The problem with internal displacement is that there is a clear gap in terms of international leadership and governance on this issue, because no single UN agency is formally responsible for the internal displacement agenda. That counts for UNHCR, just as it does for IOM, OHCHR, UNDP, and so on.

The Chair: Thank you.

Ms. Kwan is next.

Ms. Jenny Kwan (Vancouver East, NDP): Thank you very much, Mr. Chair.

I thank both of our witnesses for their presentation.

Ms. Atak, earlier in the conversation with one of my colleagues about asylum seekers and particularly the safe third country agreement, I think I heard you say that Canada should suspend the safe third country agreement. Did I hear you correctly?

Ms. Idil Atak: That's correct.

Ms. Jenny Kwan: There was a question about the mechanism by which to trigger that. My understanding is that article 10 of the agreement allows for Canada to give notice to the United States and to suspend the agreement for 90 days immediately, so that would be one provision that we can exercise to begin this process.

Would you agree that this would be the right approach?

Ms. Idil Atak: I would believe so, yes. It's a bilateral agreement, and there is a clause, as you mentioned, that allows Canada to either suspend or rescind.

Ms. Jenny Kwan: Correct.

At the moment—actually, at a different committee—Minister Blair, who's responsible for border security, talked about this issue. In a response to committee members, he indicated that Canada has not ruled out applying the safe third country agreement to the entire border of Canada, as my Conservative colleagues have advocated.

Do you think Canada should do that, or should we take that off the table in terms of the negotiations with the United States?

Ms. Idil Atak: Thank you so much for this question.

I think that should be taken off the table. I don't think it is the right decision in this case. We've seen over the last years how unproductive this safe third country agreement is, and it's extremely costly and difficult to enforce. It creates more irregular or undocumented migration in Canada. It also victimizes individuals. We've seen in the newspapers people trying to cross the border during the winter. There was one dead and other individuals were injured, so it also victimizes individuals.

More importantly, I would say, because we are a state party to the 1951 convention on the status of refugees, we do have some obligations, and one of these obligations is to let them come. Asylum seekers should be able to claim asylum, and we do have a mechanism in terms of security screening, front-end security screening. During the process of refugee claim examination, we do have capabilities and institutions that make sure that those who are a security threat to our country are weeded out.

I would say it would be an error to expand the safe third country agreement to all of our frontiers.

Ms. Jenny Kwan: Thank you very much. I appreciate that clarification and explanation.

I'm going to turn to the point that you made around the designated country of origin. I think you were calling for that to be eliminated. Can you expand on that for me, please?

Ms. Idil Atak: Yes.

This is again a new measure. We haven't implemented a designated country of origin clause or safe country of origin notion in our refugee system, whereas this notion has been implemented in European countries since the 1980s. It's proven extremely unproductive and costly in Europe.

A safe country of origin clause allows the Minister of Immigration to designate a country of origin as safe, so there is a presumption that the nationals who are refugee claimants and coming from those countries are coming from a safe country; therefore, they are not refugees per se.

There is this presumption, and it's extremely difficult for these claimants to reverse the presumption before the Immigration and Refugee Board.

● (1605)

Ms. Jenny Kwan: Thank you for that.

I'm going to turn to internally displaced individuals for a minute. One of the issues we see is that those who are internally displaced, particularly in a country that might be deemed to be safe, have actually no ability or opportunity to seek a pathway for resettlement, such as those from the LGBTQ community.

There are many countries—I believe 70—that designate people from the LGBTQ community to be illegal, to be engaging in a criminal activity. To that end, Canada used to have a process to allow for a pathway for resettlement for these individuals, but now that is gone.

I wonder if I could get a comment from Ms. Bilak on this issue. What do you think Canada should do with respect to creating a pathway for internally displaced individuals such as those from the LGBTQ community?

Ms. Alexandra Bilak: The situation of internally displaced persons is very specific and requires a very specific type of response, because we're talking about citizens or permanent residents of a country who become displaced as a result of one or several possible factors. Armed conflict and generalized violence constitute some of the possible causes of displacement. A person who is displaced by another type of violent event that doesn't qualify as a generalized violence situation or an armed conflict does not qualify as an IDP.

The first response that needs to come to IDPs has to come from the national government. We're talking about citizens of a country where national legislation, national protection and assistance mechanisms need to kick in. There's very little, in fact, that an outside government can do to reintegrate individual IDPs or find a solution for them.

The type of support that's needed from the international community—in the context of a government that is unwilling or unable to respond—is first and foremost humanitarian assistance to provide the basic services that many of these IDPs lack in the immediate crisis context. Over the longer term it's the kind of longer-term development assistance—through education, new jobs, shelter options, legal recourse in certain cases, compensation, etc.—that will bring about the conditions that will gradually enable an IDP to find what we call a durable solution and to no longer be displaced. However, that's a much longer-term process that has to be led at the national level, and that of course requires international financial support.

In certain cases we are also advocating for international partners to [*Inaudible—Editor*] IDP return processes so that the immediate condition, let's say, of displacements can be addressed, but even these return processes have to be accompanied by the right kind of development and socio-economic assistance so that over time we can hope to see an end to displacements.

I hope that answers your question. Resettlement and reintegration have to be managed at the national level by a functioning national government.

● (1610)

The Chair: Thank you very much.

Ms. Zahid is next.

Mrs. Salma Zahid (Scarborough Centre, Lib.): Thank you, Chair, and I would like to thank both the witnesses for their presentations today as we go through our study.

My first question is for Ms. Atak. You have spoken about how negative public policy can drive a culture of suspicion among asylum seekers and refugees, and you told the National Post in April about a global trend of criminalizing asylum seekers and especially undocumented migrants. This risks eroding public support for helping those in need.

How can we build faith and confidence in refugees and asylum seekers and counter this bad information?

Ms. Idil Atak: We're fortunate because we have developed, with some glitches, a well-functioning refugee system, and I refer to the Immigration and Refugee Board. There is a wealth of knowledge and expertise within the Immigration and Refugee Board of Canada in terms of processing the refugee claims made here. Other actors involved in the refugee protection system also contribute to this.

We need to do a critical evaluation of what's working and what isn't. I highlighted some of the problems within the system that make it counterproductive and less efficient, and also unfair. In addition, amending legislation and also rescinding some of the legislative measures would be the right way to go.

Mrs. Salma Zahid: Thank you.

Regarding the use of the designated country of origin, DCO, you talked about designated foreign nationals today and how this classification can divert people from legal asylum channels. We also heard in our last meeting on Tuesday about how policy changes can influence people towards the legal or the illegal channels.

What policies can we put in place to encourage the use of the legal channels rather than the illegal channels?

Ms. Idil Atak: First of all, because the question refers to the previous questions, rescinding the safe third country agreement would be the right thing to do.

We have many other problems in terms of measuring undocumented migration in Canada. We don't have any research and we don't have any data. If we compare our knowledge of the phenomenon with that of the European Union or other global north countries, for example, we don't have any research. We have nothing about undocumented migration. Especially since the elections in the U.S., all we know is there is a rise in sanctuary city movements, and they point to the existence of an undocumented migrant population in Canada.

In our research project, we also found a correlation between some of the most repressive measures—designated foreign nationals and the reduction of available recourse, for example—and undocumented migration. That is because these measures deter individuals from using the legal channels. They go underground and they gain time, especially with accelerated timelines, so undocumented migration becomes a strategy, but we know so little about undocumented migration.

Mrs. Salma Zahid: Do you think that giving them more time to file their claims would help?

Ms. Idil Atak: I absolutely do think so, yes.

Mrs. Salma Zahid: Thank you.

My next question is for Ms. Bilak. On your web page you have shown a global picture of internal displacement, and natural disaster looks to be a widespread trend driving migration.

How important is climate change as a driver for displacement? Is there an awareness of it? What can we do to address that?

Ms. Alexandra Bilak: Thank you very much for the questions.

I'm glad that you've gone to visit our website, and perhaps you'll have seen by looking at our global maps that it's true, as I was saying in my presentation, that we report high levels of disaster displacement every year, and within those numbers, something like 90% of all the displacement that is caused by natural hazard-related disasters is actually caused by climate-related, weather-related meteorological hazards like storms, floods, hurricanes, etc.

Of course, it's very hard at this point in time to establish a clear cause-and-effect relationship between climate change and the intensity of these hazards, but we do expect, just as all the climate change scientists out there predict, that in the future the impacts of climate change will only exacerbate the intensity and severity of these hazards. We expect climate change to only exacerbate the scope and the scale of displacement in those contexts.

This is why we have made a clear case for addressing internal displacement as an integral part of not just the climate change agenda, but also of other policy agendas, such as disaster risk reduction and sustainable development. Displacement has now been recognized within the UNFCCC negotiations as an integral component under the loss and damage pillar. Displacement has also been integrated into the Paris agreement as one of the clear future impacts of climate change.

It is a well-established fact that there is a correlation between climate change and displacement, so the next step is of course more investments in both adaptation and mitigation measures, and more importantly in providing the right kind of support to those countries. They're mostly developing countries that are already experiencing these effects, and they are at risk, in some cases, of experiencing forms of permanent displacement such as what we're seeing already happening in some small island states in the Pacific that are already going underwater. Entire communities are having to prepare for a longer-term form of displacement. Those are the countries that need the most support.

This is of course where the most controversial conversations often happen in climate change negotiations, because it all boils down to financing and the transfer of those financial resources to the countries that are most affected. It's a conversation and power play between developed countries and developing countries.

● (1615)

The Chair: Thank you.

Mr. Tilson is next.

Mr. David Tilson (Dufferin—Caledon, CPC): Thank you, Mr. Chairman.

Ms. Bilak, I'd like to ask you some questions with respect to sovereignty. With respect to IDPs, there could be questions of sovereignty involved. These are, in general, citizens within their own countries. The degrees of displacement vary widely, as do the causes.

Are there particular diplomatic concerns to be taken into account when assessing IDPs for assistance?

Ms. Alexandra Bilak: I think this is probably the most crucial question. The crux, really, of the issue around internal displacement is, as you said, national sovereignty. National sovereignty has been a barrier to making progress on this agenda ever since the UN guiding principles on internal displacement were developed 20 years ago. This is also the reason that, as I was saying earlier, no single UN agency formally has the mandate to deal with the issue of internal displacement. Because it is so quintessentially politically sensitive and because it touches on the sovereignty of states, we see it playing out in many different ways, not least every other year when the IDP resolution has to be readopted at the General Assembly. We always have a lot of resistance on the part of certain states for pushing the boundaries of that resolution.

For a number of years, the main arguments that were being made to address internal displacement were human rights arguments, as I was saying earlier, which typically were met with a lot of resistance on the part of a number of countries, particularly those experiencing conflict, where the political sensitivities were much higher.

Now, having said that, even though the issue of sovereignty is and will probably remain a massive obstacle in finding solutions to this issue, there are some promising opportunities on the horizon. We have noticed that conversations with national governments about internal displacement are, for example, far more palatable when the entry point is not conflict or violence but is more disasters or climate change. Then we can have a conversation not so much about human rights and a country's human rights track record but about sustainable development. Talking about reconstruction, development and longer-term planning and couching the issue of internal displacement within a broader conversation about a country's commitments under the SDGs, for example, is far more constructive, I would say, than presenting it as a more forceful human rights issue.

We have made some progress. I was talking about the high-level panel on internal displacement, a proposal that was put forward to the Secretary-General by a number of member states. We're hoping this proposal will see the light of day perhaps early next year. We hope it can create a forum where a constructive conversation about internal displacement and sustainable development can take place.

It is absolutely essential that countries affected by internal displacement are part of that conversation and that they're not sidelined in policy debates that up until now, if I'm honest, have mostly been led by donor governments and western governments that are not directly experiencing this phenomenon in the same way as these other countries are. Some of these countries—not all, of course—have expressed an interest and an openness to discuss the issue constructively. They really should be in the driver's seat of any future policy-making on this topic.

● (1620)

Mr. David Tilson: I wonder if you can give some examples of problems. if there are human rights issues or serious conflicts, what can a country do? What can a country such as Canada do?

The Chair: Please be very brief.

Ms. Alexandra Bilak: I think continuously make the case that not addressing internal displacement will have a number of knock-on effects that will slow down a country's development trajectory. As well, try to convince these national governments that it is actually in their own self-interest to both prevent and reduce internal displacement risk.

Of course, there will always be sensitivities. There will always be human rights issues that have to be discussed, perhaps separately and in very specific forums, but I think starting the conversation with a development angle and using an economic or financial argument is definitely the way forward.

The Chair: Thank you.

Go ahead, Mr. Sarai.

Mr. Randeep Sarai (Surrey Centre, Lib.): I want to thank both of you for taking time for us on this important study.

My first question is to you, Ms. Bilak. You've obviously done a lot of work on IDPs.

We get UN intervention in terms of helping the IDPs when they're in a state, but when in camps, as the Yazidis or others have been, they are not considered refugees until they've actually been moved over.

Are there any ways to change this so that they are considered refugees even if they are within the state, or can we create a new category so that the UN will assist?

Ms. Alexandra Bilak: As I was saying, I don't think there's any kind of political appetite for expanding the definition of IDPs or developing some kind of international framework for IDPs.

As we were saying earlier, it is quintessentially a domestic issue. That will never change. We need to recognize that these people are displaced inside their countries and therefore fall within the jurisdiction of their state. There is no other alternative legal framework within which this can be addressed—sorry.

● (1625)

Mr. Randeep Sarai: Okay. Thank you.

Ms. Atak, the designated country of origin I think has been struck down, and as of July 2015, it hasn't been in effect. I think the court of appeal has.... It's kind of like a ghost law. It will probably be taken off the books or be amended, but currently I believe it's not considered constitutional.

Ms. Atak, you've studied refugees across Canada over three different provinces. Can you say how their settlement has been? For example, are they working, integrating, contributing to Canadian society? In comparison to, say, economic immigrants and family reunification immigrants, are they at par and similar and pretty close to them?

You've studied it, I assume, over the three provinces and over a length of time.

Ms. Idil Atak: Thank you for the question.

Both refugee claimants and refugees work and contribute to our society. This is a well-documented fact. With regard to refugees especially, there has been research conducted—not by me, but by many of my colleagues—that shows that refugees very quickly become productive members of our society.

In terms of integration, there is this will, but depending on the availability and resources held by service providers in different provinces, their integration is more or less successful.

Mr. Randeep Sarai: It's more or less at par with other sources of immigration, I would say. Am I right?

Ms. Idil Atak: That's correct, yes.

Mr. Randeep Sarai: Second, I understand your sympathy with refugee rights and refugee settlement. However, we also see that when refugee claimants are processed efficiently and quickly and genuine refugees are put on a path to citizenship or settlement, those who don't satisfy the requirement are not sent back swiftly.

This is a very difficult situation. As people live in the country for so long, they may end up having roots. They have a child born here. They start working here. They have fewer roots in the country they came from.

I'm talking about somebody who is not considered a refugee, and therefore it becomes very difficult to send them back. There are a lot of different applications on H and C grounds, humanitarian and compassionate grounds, and it becomes very difficult.

How would you suggest that we revamp or tweak our refugee system so we maintain its integrity and allow those who are genuine refugees to stay in Canada, and have those who are not deemed to be refugees sent back swiftly? Both of those processes have to be done in a swift manner. If you lengthen it and we have access to justice and we allow them a lot of time, then it's very hard to remove them and it becomes a very difficult situation. That's where Canadians get into an issue.

Are there any suggestions you have about how we can maintain a robust system that is efficient and equitable?

Ms. Idil Atak: That's one of the questions I asked my research participants. I interviewed almost 70 research participants in three provinces. That was one of the questions I was interested in.

Many of those participants told us there should be a balance. The timeline before the adoption of the refugee reform in 2012 was almost 18 months for a refugee claim to have a final decision. That was obviously too long. Now it is too fast. It's 60 days for most claimants, but for some claimants, because the system is punitive, it is sometimes only 30 days.

There should be a balance, and some of the participants said three months would be ideal. This would allow claimants to receive legal counsel, an interpreter and legal aid, and to gather evidence they need to make a claim and make their case before the Immigration and Refugee Board.

The Chair: Thank you. I'm afraid I need to end here for the first hour.

Thank you to our witnesses. You might think it's odd that we had the two of you on the same panel. That's simply the way scheduling on this study works. Thank you for understanding that we're dealing with quite different topics, but all of this will work out over a number of weeks.

I know Ms. Bilak has submitted a couple of documents for our committee. Thank you for that. If either of you has documents or helpful information that you think would be useful for the committee, be sure to send them to us.

We'll suspend for a moment.

• _____ (Pause) _____

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• (1635)

The Chair: We're going to begin.

Our witness from Denmark is available and we do have the connection with Mr. Bach, but we're having a problem with the connection with respect to Cambridge. We're still missing one of the three witnesses from Cambridge. We're going to begin with Mr. Bach as soon as we see him.

While we're waiting for that, I'll do a little piece of business.

Mr. Tilson and I talked yesterday, and at his suggestion, we're looking at the meeting on Thursday, November 8. As you probably know, the House won't be sitting on Friday, November 9. The small number of people who have to be here on Friday will not be coming at all. I don't know whether Thursday will have Friday timing. I don't think so; it will be a regular Thursday. However, the suggestion from Mr. Tilson is that we not meet that Thursday, which will give us a chance to take one meeting off. I think it's a good idea, but I wanted to check to make sure there was agreement generally in the room with his suggestion.

I'm hearing no argument.

It appears that we have all of our witnesses here now. We're going to begin with Mr. Bach, because it is quite late in Copenhagen.

We thank you for joining us. We'll give you about 10 minutes to make an opening statement. Then we will hear from the Aleph Policy Initiative and then from Nadia's Initiative.

Mr. Bach, welcome.

Mr. Christian Friis Bach (Secretary General, Danish Refugee Council): Thank you very much.

It's an honour to be able to address the committee. Thank you for this opportunity.

I might not even use my 10 minutes, but I will say a few remarks on mixed migration and durable solutions.

Let me first say that I was on the board of the International Institute for Sustainable Development for six years and visited Canada—Ottawa and Winnipeg—many times and used the opportunity to also study the Canadian resettlement, refugee and volunteer integration activities. I pay a lot of respect to the quality of those programs and the commitment of the Canadian government and people in welcoming refugees. I think we can learn more from you than you can learn from us.

I am the secretary general of the Danish Refugee Council. It's one of the five largest organizations in the world working on displacement and humanitarian assistance to people who have been displaced. We have 7,500 staff in 40 countries—all displacement situations, we are there—with a budget of around $600 million Canadian dollars.

We work all around the displacement cycle, from internally displaced to near areas, to programs in Greece, to supporting asylum, to a volunteer program in Denmark, to integration activities from language to family support, to diaspora programs supporting the diaspora to work and create projects back home, and to return to repatriation. We are, in a sense, a unique organization working all around the displacement cycle.

The current migration refugee crisis, I believe, is primarily a protection crisis. It's a crisis in our core values of human dignity and human rights. That is very much how it is playing out in Europe and in the routes connecting people to Europe. We see this with a lot of clarity in the DRC because we have created the Mixed Migration Centre—which runs from my program—where we conduct, and have conducted, 20,000 interviews with migrants and refugees on all major routes going to Europe. We have not yet established a similar program in the Americas, but it is definitely on the horizon.

We do these in-depth interviews—around 1,200 a month—on all major routes towards Europe. They are in-depth interviews asking refugees and migrants where they come from, why they have left, where they want to go, and what they have experienced on the route. This data is now showing us is a very concerning picture.

Around 80% of those walking on the route face protection concerns and violations. Thirty per cent experience people dying on the routes where they move. If you go to the website you can draw the data. For instance, if you select Eritrea, sexual abuse, and women, you will see how the border between Sudan and Eritrea is now turning red and yellow, signalling that women trying to escape out of Eritrea are now captured on that border, where the European Union worked with the Sudanese government in order to strengthen border control. This is where the women are caught and they are facing sexual abuse and violations.

If you go to the website, you can also see what the conditions are in Libya and its detention centres. Through this dataset, we have been able to show how there are many more women and girls captured in the detention centres in Libya who are facing severe violations there. You can go to the Afghan border. You can see how the border between Afghanistan and Iran is increasingly being closed, and how Afghan refugees are stuck on that border where they are facing brutal violations and beatings from a coalition of militias and border police who are also taking them hostage and claiming ransoms from the families.

This is a very disturbing picture. Our main message is that when countries are increasingly trying to protect their borders, we must do a lot more to protect the people who are stuck on the route and stuck on these borders at the same time.

● (1640)

It is very much a protection crisis that we are facing, more than it's a migration-refugee crisis. The number of people who are crossing the Mediterranean has dropped by 95% to 96% since it peaked in 2015. Asylum numbers in a country like Denmark are now at a historical low. The main crisis we have to focus on is the protection crisis.

To solve this, the solution is to engage much more forcefully to protect people on the routes and, first and foremost, to create durable solutions that allow people to stay where they are and where we can find durable solutions in the near areas. This is, of course, about ensuring that refugees and vulnerable migrants have access to basic health care and services to ensure that in the protracted crisis, refugees have access to education, health and livelihood opportunities. This is something that we have said for years, but not yet delivered on.

If you go to Lebanon, 80% of the refugees there are living below the poverty line, and still 30% to 50% of the kids are not in school. Of course, many of these families turn desperate and wish to move on, just as the women who are facing violations on the routes have often no other option than to keep moving on to seek protection and some kind of dignity. These are very much the issues that we have to handle.

In creating durable solutions—and this is the objective of the global compact on refugees and of the comprehensive refugee response framework that we must now hopefully agree on and thereby seek to implement—these solutions will depend on a number of issues. First and foremost is the ability and the willingness of host countries to engage and provide the access to health, education and livelihood opportunities, but they will need an increased financing scheme. They will need to see an increased commitment in resettlement schemes to take out some of the most vulnerable refugees. This has to be part of a joint solution, a common solution, framed and formed under the new global compact and the CRRF.

In creating these solutions, we also need to tackle the humanitarian development divide, which is very much present in the funding modalities of so many countries. On the ground, it is often not as complicated. When we operate inside of Somalia, where we run a very large program, we help communities in Somalia prepare for the return of IDPs. When the IDPs return, we stand ready with cash assistance. We give them shelter. We ensure that they have water and a start-up package.

We, at the same time, work with the local community on its development plan. We work with the police to make sure that they can provide security for the girls and women who may return home and be engaged in livelihood activities for both the host community and the IDPs who may come back.

In this, there's no humanitarian development split, but there is very much so in the funding modalities: in the humanitarian funding, in the development funding. A lot more needs to be done in order to build a nexus approach, as you would say in the fancy new world, but simply creating funding modalities can support durable solutions.

We do water trucking for almost $20,000 U.S. a day to the refugees in northern Uganda. This is because we have a three-month humanitarian grant to provide water solutions and water trucking. With such a short time horizon, it's the only option. If funding in such a situation were given a two-year horizon, we could easily provide durable solutions in terms of proper wells, water pumps and solar panels that can provide water solutions both for the community and for the refugees, primarily from South Sudan, who are walking into northern Uganda.

These are just examples of how we really need to work on our funding modalities to ensure that we can protect people where they are and that we can provide durable solutions. Then we must increase and expand the protection space and not limit it as we see right now in Europe, where more and more countries are limiting their asylum space. This must be protected and expanded to more and more countries so that refugees can seek protection in more and more countries, seek access to asylum, seek access to durable solutions and be protected where they are.

Thank you very much.

● (1645)

The Chair: Thank you very much.

We're going to turn to Cambridge, Massachusetts, and we're going to begin with the two from the Aleph Policy Initiative.

I'm not sure who is going to speak first, but you're going to share the time.

Go ahead, Ms. Baum and Mr. Shadarevian.

Mr. Vartan Shadarevian (Executive Director, Aleph Policy Initiative): Thank you, Mr. Chair. It's a fantastic opportunity to appear before the committee and offer some comments and thoughts. I'll present some comments and thoughts on policy, and then my colleague Rosa Baum will touch also on some implications for Canadian policy.

Let me open by saying that we recognize that there's a legitimate political debate as to the number of immigrants and refugees that Canada should accept. What we say today should not be taken to be a comment on that debate. Our present concern is looking more at the general causes of immigration and determining whether the procedures in place are fair and efficient, and whether they sufficiently cover the most vulnerable groups. I'll be speaking somewhat from some of our experience working in the Middle East and particularly Iraq, although some of the expertise of our members extends to Latin America and other regions.

The facts are as follows. Syrian and Iraqi refugees, particularly religious minorities, hesitate or refuse to register with UNHCR and other agencies for fear of reprisals. Less than 1% of each minority community in Syria has registered with refugee agencies in Iraq, Egypt, Jordan and Lebanon, which means either they are not migrating despite the particular dangers to them, or they are not registering once they leave.

At a general level, what the research shows is that for a person in a developing country, when their income goes up, so does their likelihood of immigrating. Migration to some degree is something you need to buy, and some of the most vulnerable individuals may be unable to afford it.

What does this tell us? Immigration is at least partly an access problem. These problems are more acute and they're worse for some of the most marginalized communities—small ethno-religious groups, women and LGBTQ individuals.

Broadly we think any perspective needs to distinguish between predisposing factors, which are longer-term issues and divisions, on the one hand and triggering factors on the other hand, such as wars and natural disasters, which combine with these pre-existing factors to instigate migration.

We think we can predict these predisposing factors, but it is not an easy task. For example, in both Iraq and Syria, there is a large level of ethno-religious diversity. Minorities include not just the Kurds and Christians on the one hand, but also Yazidis, Shabak, Turkmen and many others.

Some of the work by our organization focuses on passive versus active sectarianism, which is something we've coined to help us understand these distinctions. Divisions might exist, but they might be passive background characteristics, or they might be the driver of active political divisions and strife. Usually sectarianism becoming active is a good precursor of migration. Likewise, problems faced by women and LGBTQ groups often predate conflicts but flare up in times of turmoil. Data gathering and methodologies to help identify these factors in advance have come a long way, and we've used some of our own tools to identify problems in communities, sometimes at the village or even the neighbourhood level.

What we put today before the committee is that beyond these drivers, there is a question of how accessible immigration structures are to those facing these problems. The question of whether a person migrates and where they migrate to is much more complex than figuring out how vulnerable they are or the particular danger that they're in. Many things affect the decision and many things affect the access that they have, such as the penetration of international bodies such as UNHCR, their individual information and their beliefs, or their closeness to a community in a target country, which we think has actually been a big factor in Canada, where if you have individual members of the community who are willing to sponsor you or otherwise fund you or welcome you to the community, you're that much more likely to want to immigrate or to apply to immigrate. We think these factors are also predictable, and there's space for improving access but also predicting where we think there might be problems with access.

This implies we have a problem, at least in part, of information. We think concerted research can indicate where sectarianism has become active, for example, or where LGBTQ individuals or women might be threatened. Concerted research, we believe, in 2012 or 2013, could probably have revealed that Yazidis were a group in danger because the ISIS threat to them was an offshoot of pre-existing tensions and problems. But these groups often also lack the access and organization to make the most of their migration services so they are the least likely to pop up on the radar of their own accord until it is too late. It is, therefore, for these groups that additional research and proactive looking for information will most ensure visibility, attention and a sufficiently expeditious immigration process.

For Canada, what does this mean? It means, we think, that Canada should ensure that the IRCC has fully developed data analysis and prediction capabilities. We think that they might benefit from working with other branches of government, such as the stabilization and reconstruction task force within Global Affairs. They may be able to help identify immigration needs in vulnerable populations well in advance, if they do this.

● (1650)

We also think that the IRCC should follow stricter data recording requirements. This analysis should be transparent while also safeguarding the privacy of the individuals involved. Ultimately, if there's an impending crisis or potential biases in the way cases are treated within the IRCC, the government and Parliament should be the first to learn about it.

My colleague, Rosa, will now provide some additional comments.

Ms. Rosa Baum (Senior Research Fellow, Aleph Policy Initiative): Thank you, Vartan.

Good afternoon.

As an additional focus, the safe third country agreement merits consideration. The systems protecting the rights of migrants in the United States have been deteriorating. This stretches back to the start before the current administration, a longevity that is important to note.

In fiscal year 2014, 77%, or 44,228 individuals, were detained while seeking asylum, and 73% of those were held in privately run prisons. Many of these facilities have been criticized for their human rights violations, including inadequate medical attention and sexual abuse.

Article 31(1) of the refugee convention prohibits this widespread detention of asylum seekers and penalization based on irregular entry or presence. Similarly, the United States Court of Appeals for the Ninth Circuit's Judge Pregerson wrote:

> ...the deportation process can begin and end with a CBP officer untrained in the law. ...There is no hearing, no neutral decision-maker, no evidentiary findings, and no opportunity for administrative or judicial review. This lack of procedural safeguards in expedited removal proceedings creates a substantial risk that noncitizens subjected to expedited removal will suffer an erroneous removal.

Recent actions by President Trump and his Attorney General have exacerbated these practices of large-scale detention, expedited removal without concern to due process, and prosecution of unauthorized entry, which is a recognized means for seeking asylum under article 31 of the refugee convention.

Executive orders have further criminalized migrant behaviour and sweeping statements have tried to rule out the possibility of protection for large groups of those forced to leave their countries of origin.

Attorney General Sessions disregarded international refugee law and consensus among many states, Canada included, in his interpretation of persecution committed by non-state actors. These recognized protections have been critical for vulnerable groups, especially women, who classically suffer human rights abuses at the hands of non-state actors. Tightening border security has not proved to decrease irregular border crossings. Instead, it tends to interrupt circular migration and increase criminalization.

Immigration in the 21st century presents unprecedented challenges. Successful policy will require concerted efforts by governments in dealing with these crises and gathering information, but also the courage of policy-makers to chart their own course when the moment demands it.

Thank you.

● (1655)

The Chair: Thank you very much.

Go ahead, Mr. Shamdeen.

Mr. Abid Shamdeen (Director, Nadia's Initiative): My name is Abid Shamdeen and I'm part of Nadia Murad's initiative. I was born and raised in Sinjar, the Yazidi homeland. I would like to thank the committee for giving me a chance to clarify some points about the Yazidi situation.

First, I want to just point out a few things before I get into the Yazidi situation. I want to mention that Canada was part of the coalition that toppled the Saddam regime, and some Canadian nationals were also part of the ISIS group that committed crimes against Yazidis and others.

Since 2014, we all know the Yazidis, a specific minority group, have been the target of al Qaeda, ISIS and other terrorist groups. Al Qaeda killed thousands of Yazidis in the 2007 attack on Yazidi villages south of Sinjar Mountain, and since then attacks have continued against Yazidis. The recent and most cruel one, as we all know, was by ISIS in 2014.

The current situation of the Yazidis in Iraq is that they remain shattered. They are in IDP camps, refugee camps and some of them are in unfinished buildings in northern Iraq—Kurdistan, specifically—and they have been in these IDP camps since 2014. Some of them have been under the same tent.

Today, the future of Yazidis is in danger more than ever. The Canadian Parliament pledged to take 1,200 Yazidi ISIS survivors. I believe up until now, they have taken about 600 to 700 individuals, and we hope that the Canadian government will keep its promise and take the rest of the Yazidi survivors. I hope the committee can follow up with the Minister of Immigration and ask them to take more Yazidis, as they pledged to take 1,200 by the end of 2017.

Today, about 350,000 Yazidis remain in the IDP camps in northern Iraq, and about 67,000 in Greece and Turkey. Of those Yazidis who were taken into captivity by ISIS in 2014—mostly women and some children—1,200 to 1,300 remain in captivity, mostly in Syria. We believe some of them are also in Turkey.

We believe that, even though ISIS has been defeated militarily in Iraq, Yazidis are still a target of ISIS. Both the Government of Iraq and the Kurdistan Regional Government have imposed a blockade on Yazidi areas in Sinjar. Some of the roads that lead to Sinjar have been blocked for over a year. Even those who would like to return to their homes and try to rebuild their lives are not able to go back due to the restrictions put on the Sinjar area.

Likewise, international NGOs, such as UN agencies—UNDP and others—are not able to implement some of their projects because of those access issues. We believe that taking more Yazidis, especially the women who survived ISIS captivity, is very necessary. For those who have been taken, we have contact with them and their lives have been changed for the better. They are able to restart their lives in Canada. We hope that the remainder of that number—the 1,200 Yazidis—will be taken to Canada.

We will be here for questions if you have questions. Thank you.

● (1700)

The Vice-Chair (Ms. Jenny Kwan (Vancouver East, NDP)): Thank you very much to our presenters.

The first seven minutes go to Mr. Sarai.

Mr. Randeep Sarai: Thank you.

If Mr. Bach is still on the line, I'll maybe ask him the first question.

The committee has heard that one of the reasons refugee flows continue to grow is the international communities' inability to broker peace. Do you agree with that perspective, and if so, can you explain?

Mr. Christian Friis Bach: I do agree. We can see that the major refugee-producing countries are all engaged in protracted crisis situations. Take South Sudan, Somalia, Afghanistan, Syria and Yemen as examples. The lack of the ability of the Security Council and world leaders to resolve and stop these conflicts is something that will be judged hard by history.

Displacement, however, is often not for only one reason, which is what the large dataset from the 22,000 interviews we did shows. We are working now with IBM and the supercomputer Watson to use this dataset, combined with around 30 to 40 other data sources, to develop a predictive capacity in order to see if we can, first and foremost, be better at preventing displacement, if we can do more to protect people who are displaced, and if we can do more to predict where people will leave from and where they will go. The first algorithms will be developed using the IBM Watson supercomputer.

The dataset already shows us that people move for a variety of reasons, be they migrants or refugees. They can move because of conflict. They can move because of drought. They can move because of the loss of a family member. They can move because of job aspirations. Often it is not only one factor that drives displacement. It's often a complexity of multiple factors that will drive people to move.

It also shows the complexities of mixed migration or mixed movement, where you may have refugees and migrants walking side by side. You may also have vulnerable migrants who, en route, will shift status from migrant to refugee because of the violations they face or their inability to return home. It is a complex picture, but definitely conflict is the main driver. The inability of the international community to resolve these conflicts will be judged very hard by history.

Mr. Randeep Sarai: You have probably visited many of these refugee camps. One thing we've heard from people, and from the other speakers as well, is that religious minority groups particularly have trouble registering, or are hesitant to register, as UNHCR refugees. We've also heard before in testimony from refugees that they feel very unsafe in certain refugee camps. They feel even more at risk within a refugee camp where they are the minority than they did prior to reaching it.

Do you see the UN being more tactful or being better equipped to handle the refugee camps where they administer the refugee camps? That's an alarming situation to know that when people take refuge.... We already know that the camps aren't great places to live or be in, but to know that they are victims of assault or sexual assault while they're in a refugee camp is even more worrisome. Have you seen any best practices or ways in which the UN should do better?

● (1705)

Mr. Christian Friis Bach: This is, of course, where we need a very forceful protection response inside the camps. That is one of the issues we engage heavily in, ensuring that you have protection and monitoring by people who are consistently present in the camps, making sure that minorities or vulnerable groups, or women and girls who are faced with sexual abuse, can receive the protection and the proper treatment and support they may need.

I do agree that a camp solution is definitely not an ideal solution. That's also why we need to work on out-of-camp solutions for refugees. More and more countries under the CRRF and the global compact on refugees luckily engage in non-camp solutions and much more durable solutions, where refugees can get access to jobs, to land, and to education and health services. They can therefore engage in a community where they will be better protected.

I agree that this is a severe problem. I visited just before the summer the Moria camp on Lesbos. In Europe, the UNHCR did a study on women and girls who faced sexual abuse passing through Greece, and one quarter of them faced these violations inside the camps in the hot spots in Greece. Here you have women and girls struggling to cross the Mediterranean or the Iberian Sea on a difficult journey, receiving what they believe to be safety in Europe, and ending up in a camp where they face violations. It is not acceptable. It defeats all our principles in terms of human rights and human dignity. We definitely need to scale up our protection response inside the camps.

Mr. Randeep Sarai: Thank you.

My next question would be for Mr. Shamdeen.

Mr. Shamdeen, first of all, I'd like to comment on the great work that was and is being done by Nadia's Initiative and the focus on the advocacy of women. We have heard from witnesses and from our own members, who have visited some refugee camps, that women are more vulnerable to violence in camps—and I just mentioned that earlier—due to a variety of reasons, but one of the ones that strikes me is just a lack of lighting or a lack of safe passage for going to the bathroom or where they have to relieve themselves. Is there anything, other than giving more money, that we could do to make that better? Particularly, you might be more aware of accounts where Yazidi minority women might be staying.

Mr. Abid Shamdeen: Thank you.

To your earlier question, for Yazidis, the real disadvantage in being an IDP is that they are not even qualified to register with UN agencies because they are considered displaced, not refugees, so they don't qualify. Even if they want to register, they are not able to do that.

Mr. Randeep Sarai: Those are the ones in northern Iraq, but the ones in Turkey or Greece are UNHCR refugees, if I understand.

Mr. Abid Shamdeen: That is correct, but the majority of Yazidis are in IDP camps in Iraq. As I mentioned, about 350,000 Yazidis are in IDP camps. Only about 6,000 Yazidis are in Turkey, Greece, Lebanon and Jordan, as refugees.

On your other question, especially for the Yazidi survivors—the women who survived ISIS captivity, some of whom were in captivity for over two years and survived—now, they have to go back and live in a tent, in that camp where they don't feel safe and where they faced brutal acts by ISIS. It is also hard for them to reintegrate in such an environment, as they are not able to live in a proper home or have access to proper sanitation.

● (1710)

The Chair: I'm afraid I need you to end there.

Go ahead, Mr. Maguire.

Mr. Larry Maguire: Thank you, Mr. Chair.

Thanks to the witnesses for their testimony as well.

Mr. Shamdeen, I'd just like to throw a couple of quick questions out and get some response on the challenges that you see facing the Yazidis. What should we be doing to help? We've brought in 1,200 refugees here. Have you heard anything back from the communities here in Canada, as to our resettlement processes?

Mr. Abid Shamdeen: As I mentioned, I believe that only about 700, at most, of the 1,200 were resettled in Canada, so the number that was promised was not achieved. The main thing is to help resettle the rest of the Yazidis that Canada promised to resettle, at least the survivors.

The other thing is that the area where the Yazidis are is a disputed area, so both the KRG and the Iraqi government fight over that area, and access to that area is very limited right now. For UN agencies and NGOs to work there, it is not easy.

I sent my comments to the committee earlier about the possibility of Canada doing specific projects in Sinjar, so for example, to help to rebuild the only hospital that was in the area, directly or through a contractor or a specific NGO, rather than contributing to the UN fund and asking the UN, because it doesn't get there.

Mr. Larry Maguire: Okay, thanks. That is helpful.

Obviously, they are being prevented from returning to their ancestral lands in northern Iraq. Do you think there should be any kind of international monitoring of the ability for ethnic minorities to return to their homelands?

Mr. Abid Shamdeen: I believe so, because as you can see, all eyes are on Mosul right now. For example, all NGOs are heading there, yet Yazidis remain in these camps. They are not able to register with the UN agencies to emigrate. They're not able to return home because the conditions are not there. The security is not there. About 70,000 Yazidis have returned to Sinjar. I was there just recently. To get from Dohuk, where the IDP camps are, it takes you about six to seven hours. You have to go through eight checkpoints. There are many militia groups controlling these areas including the PMU, the PKK, and the Kurdish militias. There is no specific control of the Iraqi government over that area.

The reconstruction is not done. About 49 mass graves containing the remains of Yazidis were discovered. Those mass graves are not protected. They're not examined. There is a UN team that is supposedly going to Iraq and working on the mass graves, collecting the evidence and investigating ISIS crimes. I met with the head of the team in New York last week, Mr. Karim Khan, who is fighting very hard to go and get the work done but is not able to find the funding support from the UN or from the international community.

Mr. Larry Maguire: Thank you.

Obviously, we know that the IDPs aren't able to follow under the resettlement processes of the UNHCR.

Do you think it's fair, considering the issues that the Yazidis and, I believe, as Mr. Shadarevian indicated, other groups besides the Yazidis in many of those other areas have? Is that fair? Should we be looking at other alternatives besides resettlement through the UNHCR?

Mr. Abid Shamdeen: In my opinion, because the minorities... especially the Yazidis, who, as we all know, suffered the most under ISIS. They continue to do so because there are, as I said, over 1,300 in captivity, mostly women and children. I believe when Canada resettles a certain number of refugees a year—and this is something I've discussed with the U.S. government as well—they should have a percentage, for example, for Yazidis, a certain percentage for minorities from Iraq. That is the only way it will be a fair process, because Yazidis don't have the resources to immigrate to countries and to be able to register with the UNHCR. They don't qualify in Iraq.

I believe that giving them a percentage would be fair.

● (1715)

Mr. Larry Maguire: I have one last question here for Mr. Bach as well.

Your organization, the Danish Refugee Council, supports IDPs as well. You have dealt with quite a few refugees. How quickly can you relocate them?

With regard to resettling processes, you've done a lot of these. I'm wondering if you feel you do a better job, as far as getting the resettlement in place quickly goes, than do groups maybe as wieldy and large as the UNHCR. It's not that they aren't doing a good job, but I'm wondering who could put the process in place and get the resettlement going more quickly.

Mr. Christian Friis Bach: That is a good question.

We work very closely with the UNHCR, but we have assisted Canada, actually, with the resettlement of Lebanese refugees and Syrian refugees. In Lebanon we assisted. We do believe in a good partnership. We do believe we can definitely significantly speed up these processes.

I'm not an expert on the resettlement and asylum procedures and how they play together. My concern right now is the diminishing engagement in the resettlement process as such. Right at the moment we are negotiating the global compact, through which host countries and communities emphasize a need for financing and resettlement as part of a comprehensive solution. We see resettlement schemes going down.

I'm not proud to say that Denmark is the only country to go all the way down to zero in its resettlement program. Most other countries, especially, of course, the U.S., have cut their resettlement programs. This is exactly the wrong way to go.

Not only speeding it up but also increasing the numbers is crucial to creating a common solution under the global compact on refugees.

The Chair: Thank you, Mr. Maguire.

Ms. Kwan.

Ms. Jenny Kwan: Thank you very much, Mr. Chair.

I thank all the witnesses for their presentations today.

First, I'd like to ask Ms. Baum a question.

In your presentation, you talked about the current situation in the United States and the impact of the safe third country agreement. Other panellists had also made presentations to suggest that Canada should suspend the safe third country agreement that makes people cross over irregularly. Risking life and limb is not a good idea.

Can you offer your opinion about that and whether Canada should in fact suspend the safe third country agreement?

Ms. Rosa Baum: Conditions in the United States right now do not lead to safe conditions for refugees or asylum seekers. Their rights are not being protected through due process and through specific mechanisms that are internationally accepted in order to see if they do have that fear of returning. They're not being provided with the interviews. They're not going through legal channels. This really does defeat the most important aspect of this agreement, which recognizes a safeguarding that should be happening in the United States but unfortunately, with this buildup of different policies over quite some time now, is no longer happening.

Ms. Jenny Kwan: To that question, should Canada suspend the safe third country agreement?

Ms. Rosa Baum: Yes.

Ms. Jenny Kwan: Thanks very much.

To the Yazidi situation, I'm a little alarmed, actually, to hear that the resettlement number is around 700, not the 1,200 as committed. I know the deadline has been missed. It was missed some time ago. That number is not what I had anticipated.

That said, I guess the question really is this: What can Canada do, then, firstly, to ensure that we meet this target of 1,200 persons?

Secondly, in fact, just last week I was in Vancouver where a group of people, the Yazidi women's project, came together to support Yazidi women on both the resettlement side, once they land in Canada, but also to call on the government to do more with respect to that. With the Yazidi situation, of course, what we're faced with is a genocide. That's the backdrop of the situation.

I wonder if the folks on the panel could provide concrete examples or suggestions as to what Canada can do and should do.

● (1720)

Mr. Abid Shamdeen: As I mentioned, of the 1,200, the number we were provided was that 724 Yazidis were taken through that program. I believe the first step is to follow up with the Minister of Immigration to make sure they take the rest of the survivors.

The other—

Ms. Jenny Kwan: Sorry. Can I just interrupt you? When you say, "take the rest of the survivors", how many are you suggesting?

Mr. Abid Shamdeen: As I said, out of 1,200, they took about 700. I hope that the remainder of that number, the 500, will be resettled.

Ms. Jenny Kwan: Got it.

Mr. Abid Shamdeen: I know first-hand of some who were registered to be resettled in Canada but were not. Some were resettled as part of a family, but the rest of the family was never resettled and they were both survivors.

Ms. Jenny Kwan: On that notion, is it possible for you to send the committee a written submission with respect to that, the details of the situation you have outlined so that the committee can bring it in front of the government, to the minister's attention, for him to follow up?

Mr. Abid Shamdeen: Yes, of course. I would be happy to do that.

Ms. Jenny Kwan: Thank you very much.

I just discovered through this initiative that we have in Vancouver nine Yazidi families and about 37 people. Of those numbers, though, not all are new arrivals. I believe there's only one family of new arrivals. That is to say, we have existing Yazidi families that have been in the Lower Mainland for some time, and they actually kicked right into action to support the one family that arrived in the Lower Mainland.

Some of the issues from a previous study were that we needed to help and ensure that there's a bit of a community for the Yazidi families that are here so that they are not so isolated. Even though that target of 1,200 has not been met, what's concerning to me is the suggestion that there are still some 3,000 Yazidis survivors who are identified and who could benefit from resettlement. Is that the information you have as well?

Mr. Abid Shamdeen: I believe some of the families that are in Canada, some of whom arrived through sponsorships and some whom arrived through UNHCR from Turkey and Greece, are not all included in that program, the 1,200. That being said, yes, there are about 3,000 survivors in IDP camps and in Sinjar who are seeking asylum outside of Iraq. We have been able to resettle some in Australia, over 1,000. That program to Australia is ongoing, but as far as I know, the program to Canada has been stopped completely. No Yazidis are being resettled at this time at all.

Ms. Jenny Kwan: That's my understanding, too. You're right, many of them have been resettled as a result of the privately sponsored sponsorship program.

Mr. Abid Shamdeen: Yes.

Ms. Jenny Kwan: I think the government counted those numbers of the privately sponsored into this 1,200, and it counted the 1,200 into the Syrian refugee initiative, so that is not an additional number. This is my understanding of how it made the calculation. It's double counting on many fronts, if you will.

I'm going to just park that for a minute. When you say that Australia is doing this as an ongoing program, can you elaborate on that? What else is it doing?

Mr. Abid Shamdeen: With the Australian government, the first group that we did—I actually handed over the applications when I was in Iraq working there—were Yazidi refugees who came from Syria to camps in Kurdistan, north of Iraq. Then we started taking Yazidi survivors. We specifically took survivors, women and their families, and we continue to register these groups and take them to Australia. This is an ongoing program. Nadia visited Australia. I met with the Prime Minister of Australia at the time, and Australia agreed to resettle some survivors from Iraq.

● (1725)

The Chair: Thank you very much. We need to end there.

Mr. Whalen, for the last round, you have about five minutes.

Mr. Nick Whalen (St. John's East, Lib.): Thank you very much, Chair, and thank you to all of our witnesses for coming.

The government has a public response on this. In the 2017 commitment, there have been over 1,000 Yazidi women and girls among the 1,300 people who came under that program. Of them, 1,216 were GARs, 88 were privately sponsored, and it met the commitment within the timelines.

Budget 2018 has additional monies to bring some 1,000 other women and girls who are international victims of sexual violence and who are also refugees. There's a commitment there, but one of the reasons we're here is to figure out how Canada should best marshal its resources to respond to migration challenges in the 21st century.

I'll turn to you, Mr. Bach. In terms of best practices, if Canada were to spend $100 million on an initiative in a particular war zone, or in a particular disaster or crisis area, to assist the people both to return to their homes or come to Canada, or resettle in a neighbouring country, how should that large expenditure be broken down in terms of both providing hope to the victims but also addressing the problems?

Do you guys have any sense of what types of percentages you would like to see in terms of levels of effort? Your organization seems to have run the full gamut of effort.

Mr. Christian Friis Bach: Yes.

I think it's very difficult to say how you can split up $100 million, but I think it's very important to understand that these solutions are closely connected. The ability to convince a country like Uganda to provide durable solutions and give refugees a piece of land, to make sure that the kids can go to school and that they can go to a hospital, and that the parents can get some kind of a livelihood, is closely related to the financial support that countries like Canada will give. There's also the important gesture you will give in terms of engaging in resettlement of some of the most vulnerable refugees out of Uganda.

Those three solutions are heavily linked together. That's what you hear again and again. Just yesterday, I sat in Geneva with the Kenyan ambassador. They host hundreds of thousands of refugees from Somalia and from South Sudan. They emphasize again and again that resettlement and financing are key elements in a common package that would allow them to take greater responsibility and provide durable solutions to the Somalian and South Sudanese refugees in Kenya.

You can say that you can't split it up. That's often seen in Europe right now. People say that it's better to help in the area, rather than allow people to gain asylum and resettlement inside of Europe, but you cannot split it that easily. I believe that Canada is actually a model country in providing both a fairly large resettlement scheme and generous humanitarian aid, but in order to have better solutions, you need to work on the humanitarian-development nexus. Allow more of your support, the $100 million, or how much of it you would use in Uganda, say, or Lebanon, to come in and leverage durable solutions. I think that's critical.

We way too often asset the water trucking in northern Uganda, or food supply, instead of livelihoods and proper wells with solar cells that can provide water to both communities and refugees.

Mr. Nick Whalen: This is very instructive.

This is a question that I've asked a previous witness earlier on in a parallel to this study, and perhaps you can answer it: How much should we be focusing, not only on the sustainable development goals of the migrant population that's on the move but also the host countries? Is it better to be focusing on making sure that the country is supported so that it is better able to make its own self-styled decisions on how to address migrants within its territory?

How closely does there have to be a quid pro quo dictated by us, and how much can we just make sure that they're well supported and they can make the right decisions?

● (1730)

Mr. Christian Friis Bach: We are a little bit concerned about making migration part of your strict allocation criteria for your development or humanitarian aid, thereby linking migration policies and humanitarian issues and, as you said it rightly, supporting sustainable development goals linked to migration. That is happening a lot. A lot of European development and humanitarian assistance is more closely linked to, basically, insisting on certain migration outcomes. This can have, in the short term, negative repercussions. A good example is how development aid is now conditional on increased border control on some of the routes in Africa, closing borders implicitly in western Africa, and breaking down some of the trade and development opportunities that the free trade areas of ECOWAS have already developed.

Here, you have a situation where you make short-term migration decisions that undermine some of the benefits of free trade and free movement in a region like west Africa, thereby having negative implications for both refugee migration outcomes in the longer run. So, yes, we need to support host communities and countries in reaching sustainable development goals as a long-term solution.

We need to understand, as it was said by the other panel as well, that in the short term, economic growth and opportunities will most likely lead to increased migration. Only when you narrow down the difference between a recipient and a sending country to around 1:6 will migration flows even off and migrants stay at home. Be very careful not to link development outcomes and migration decisions too closely, because the short-term nature of those decisions will then undermine long-term development endeavours.

The Chair: To all our witnesses, thank you.

I will just remind you that if there is anything you come across or have written or that your organizations have written that you would like to submit to the committee, we are receiving briefs over the next several weeks. Please send anything you think could be helpful for us as we investigate the very large question of Canada's response to a changing set of circumstances vis-à-vis migration.

Again, thank you, to Cambridge and to Copenhagen, and I wish you a good evening.

The meeting is adjourned.

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